IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

OP.No. 16505 of 1998(M)

PETITIONERS:
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1. **K.S.JOSHUA, S/O.SAMUEL K.I,**
   RESIDING AT KAVUMPURATH HOUSE,
   MECHAL P.O, MEENACHIL TALUK,
   KOTTAYAM (DT.)

2. **K.C.KRISHNAN, S/O.K.CHAMI,**
   RESIDING AT N.G.O.QUARTERS,
   KODATHIPPADI, MANNARKKAD.

BY ADV. SRI.PHILIP ANTONY CHACKO

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY ITS CHIEF SECRETARY TO GOVERNMENT OF KERALA, SECRETARIATE, THIRUVANANTHAPURAM.**

2. **THE COMMISSIONER AND SECRETARY TO GOVERNMENT, HEALTH AND FAMILY WELFARE DEPARTMENT, THIRUVANANTHAPURAM.**

3. **COMMISSIONER AND SECRETARY TO GOVERNMENT, GENERAL ADMINISTRATION (RULES) DEPARTMENT, THIRUVANANTHAPURAM.**

4. **THE DIRECTOR, DIRECTORATE OF INDIAN SYSTEMS OF MEDICINE, THIRUVANANTHAPURAM.**

5. **THE ADMINISTRATIVE OFFICER, DIRECTORATE OF INDIAN SYSTEMS OF MEDICINE, THIRUVANANTHAPURAM.**

6. **N.MOHANA KUMAR, HEAD CLERK, KERALA HEALTH RESEARCH AND WELFARE SOCIETY, THIRUVANANTHAPURAM.**

7. S.MOHANAKUMAR, HEAD CLERK, DISTRICT MEDICAL OFFICER (ISM), PATHANAMTHITTA, PATHANAMTHITTA DT.

8. M.V.BALARAM, HEAD CLERK, DISTRICT MEDICAL OFFICER (ISM) KASARAGODE.

9. N.SARATCHANDRA BABU, HEAD CLERK, OFFICE OF THE DISTRICT MEDICAL OFFICER (ISM), KOTTAYAM.

10. K.R.JALAJA, HEAD CLERK, DISTRICT STORE, INDIAN SYSTEMS OF MEDICINE, PALAKKAD.

11. T.A.EUGENE, HEAD CLERK, DISTRICT MEDICAL OFFICER (ISM), CIVIL STATION, PAINAVA P.O, IDUKKI DT.

12. U.P.VALSALAN, U.D.CLERK, DIRECTORATE OF INDIAN SYSTEMS OF MEDICINE (NORTH AUDIT), THIRUVANANTHAPURAM.

13. K.K.RAMACHANDRAN, U.D.CLERK, DISTRICT MEDICAL OFFICE (ISM), KOTTAYAM.

14. A.K.SHEELAKUMARY, U.D.CLERK, DISTRICT MEDICAL OFFICE (ISM), KOLLAM.

15. K.BHAMA BAI, U.D.CLERK, DISTRICT MEDICAL OFFICE (ISM), KANNUR.

16. J.EMANUEL, U.D.CLERK, DIRECTORATE (ISM), THIRUVANANTHAPURAM.

17. V.SAHADEVAN, U.D.CLERK, OFFICE OF THE DISTRICT MEDICAL OFFICER (ISM) ALAPPUZHA.

18. SATHYANATHAN M.K., U.D.CLERK, OFFICE OF THE DISTRICT MEDICAL OFFICER (ISM), KANNUR.

19. P.K.UMMACHAN, U.D.CLERK, GOVERNMENT AYURVEDA HOSPITAL PARAVOOR, PARAVOOR P.O, KOLLAM DT.

20. K.A.LALITHA, U.D.CLERK, OFFICE DISTRICT MEDICAL OFFICER (ISM), THRISSUR.

21. S.RAJENDRAN, U.D.CLERK, DIRECTORATE OF I.S.M THIRUVANANTHAPURAM.

22. A.V.VINOD KUMAR, U.D.CLERK, OFFICE OF DISTRICT MEDICAL OFFICE (ISM) THRISSUR.

23. K.VISWANATHAN, U.D.CLERK, DIRECTORATE OF INDIAN SYSTEMS OF MEDICINE, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.BENNY GERVASIS SRI.KRB.KAIMAL

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP NO.16505/1998

ORDER IN CMP NO.6190 OF 1999 IN OP NO.16505 OF 1998

DISMISSED

2/07/2007 **SD/-K.S.RADHAKRISHNAN, JUDGE.**

SD/-ANTONY DOMINIC, JUDGE.

APPENDIX

PETITIONERS EXHIBITS

EXT.P1: TRUE COPY OF THE CASTE CERTIFICATE DATED 21/10/1978 ISSUED BY THE TAHSILDAR, MEENACHIL TALUK TO THE PETITIONER.

EXT.P2: TRUE COPY OF THE CASTE CERTIFICATE DATED 6.9.97 ISSUED BY THE TAHSILDAR, OTTAPPALAM.

EXT.P3: TRUE COPY OF THE NOTIFICATION G.O(P) NO.447/84/GAD (SRO NO.261/85) DATED 10.12.84 ISSUED BY THE 3RD RESPONDENT.

EXT.P4: TRUE COPY OF THE G.O(P) 141/86/GAD DATED 30.4.1986 ISSUED BY THE SECRETARY TO GOVERNMENT GENERAL ADMINISTRATION (SERVICE-D) DEPARTMENT.

EXT.P5: TRUE COPY OF THE PROVSIIONAL GRADATION LIST OF GAZETTED AND NON-GAZETTED MINISTERIAL STAFF DATED 1.1.88 PUBLISHED BY THE JOINT DIRECTOR IN CHARGE OF THE DIRECTOR OF INDIAN SYSTEMS OF MEDICINE, TRIVANDRUM, WITH COVERING LETTER DATED 13.1.90.

EXT.P6: TRUE COPY OF THE REPRESENTATION DATED 30.1.90 FILED BY THE 2ND PETITIONER BEFORE THE 4TH RESPONDENT POINTING OUT THE MISTAKE CONTAINED IN EXT.P5.

EXT.P7: TRUE COPY OF THE REPRESENTATION DATED 16.2.90 FILED BY THE 1ST PETITIONER TO THE 4TH RESPONDENT.

EXT.P8: TRUE COPY OF THE REPRESENTATION DATED 21.4.90 FILED BY THE 1ST PETITIONER TO THE 4TH RESPONDENT.

EXT.P9: TRUE COPY OF THE FINAL GRADATIONLIST DATED 1.1.1988 PUBLISHED BY THE 4TH RESPONDENT, WITH THE COVERING LETTER DATED 30.12.93.

EXT.P10: TRUE COPY OF THE REPRESENTATION DATED 17.2.94 FILED BY THE 1ST PETITIONER TO THE 4TH RESPONDENT.

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EXT.P11: TRUE COPY OF THE LETTER DATED 23.2.94 BY THE DISTRICT MEDICAL OFFICER (ISM), ALAPPUZHA TO THE 4TH RESPONDENT ON THE BASIS OF THE COPY OF THE EXT.P10 REPRESENTATION, A COPY OF WHICH WAS SERVED ON THE 1ST PETITIONER.

EXT.P12: TRUE COPY OF THE REPRESENTATION DATED 14.12.95 SENT BY THE 1ST PETITIONER TO THE 2ND RESPONDENT.

EXT.P13: TRUE COPY OF THE REPRESENTATION DATED 17.12.96 SENT BY THE 1ST PETITIONER TO THE 4TH RESPONDENT.

EXT.P14: TRUE COPY OF THE ORDER DATED 18.1.97 ISSUED BY THE 5TH RESPONDENT.

EXT.P15: TRUE COPY OF THE REPRESENTATION DATED 20.1.97 SENT BY THE 2ND PETITIONER TO THE 4TH RESPONDENT.

EXT.P16: TRUE COPY OF THE REPRESENTATION DATED 6.5.97 SENT BY THE PETITIONER TO THE 4TH RESPONDENT.

EXT.P17: TRUE COPY OF THE REPRESENTATION DATED 4.7.97 SENT BY THE PETITIONER TO THE 4TH RESPONDENT.

//TRUE COPY//

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.

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O.P. NO. 16505 OF 1998

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Dated this the 2nd day of July, 2007

J U D G M E N T

Radhakrishnan, J.

Learned Government Pleader submitted that the petitioners have been given their seniority. The first petitioner was assigned Rank NO.42A and the 2nd petitioner was granted Sl.No.55A in the category of UD Clerks. No orders are necessary now. If they have got any grievances, they can approach the appropriate authorities.

With the above observation, the OP is closed.

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp